

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

EUNIECE LaSHAWN DIXON,

Plaintiff

v.

Case No. 5:16-cv-14124
District Judge Judith E. Levy
Magistrate Judge Anthony P. Patti

FORD MOTOR COMPANY,

Defendant.

**ORDER RESOLVING AND GRANTING IN PART DEFENDANT FORD
MOTOR COMPANY'S MOTION TO COMPEL PLAINTIFF TO
RESPOND TO DEFENDANT'S FIRST REQUESTS TO PRODUCE, TO
ADDRESS THE PROTECTIVE ORDER, AND FOR SANCTIONS (DE 55)**

This matter came before the Court for consideration of Defendant Ford Motor Company's motion to compel Plaintiff to respond to Defendant's first requests to produce, to address the protective order, and for sanctions (DE 55), Plaintiff's response in opposition (DE 58), Defendant's reply (DE 59), and the parties' joint statement of resolved and unresolved issues (DE 65).

Defendant's motion came before the Court for a hearing on July 18, 2018, at which attorney Julia Turner Baumhart and Plaintiff Euniece LaShawn Dixon appeared. After engaging in a meet and confer conference in the courtroom at the Court's direction, Plaintiff and counsel for Defendant informed the Court that they had resolved several of the matters that had been the subject of Defendant's

motion. Plaintiff and counsel for Defendant placed a stipulation as to these resolved matters on the record. In addition, during the hearing, the parties agreed to and executed the Revised Stipulated Protective Order attached as Exhibit L to Defendant's motion, which has been entered by the Court as DE 68.

For the reasons stated on the record, and consistent with my findings and reasoning stated on the record, all of which are incorporated by reference as though fully restated herein, Defendant's motion to compel (DE 55) is **RESOLVED and GRANTED IN PART** as follows:

1. Plaintiff states that she has located additional documents responsive to Defendant Ford's First Requests to Produce, including Facebook entries, Blue Cross Blue Shield invoices for Dr. Kim Logan, and her contract with former defendant Managed Asset Portfolios (MAP). Plaintiff will produce these documents to Defendant by **July 31, 2018**.
2. Plaintiff states that she has produced the only audio recordings/files she has with Ford Labor Relations personnel, and that there are no other such recordings. She further represented that she has not withheld any documents on the basis of privilege up to this point.
3. Plaintiff will produce documents and records she has relating to Dr. Leon Rubenfaer, by **July 31, 2018**.

4. Plaintiff will provide written responses to Defendant Ford's Second Requests to Produce, without objections, and produce all responsive, non-financial documents, by **July 31, 2018**. If Plaintiff does not have documents responsive to a request, she shall state that in her written responses.
5. Plaintiff will produce all audio recordings/files in her possession involving: (a) the Saint Clair Police Department; and (b) Dr. Kim Logan, by **July 31, 2018**. She may designate these or other documents to be produced as confidential under the protective order if she believes that there is a good faith basis for doing so. Plaintiff is precluded from relying on or using any audio recordings/files she does not timely produce.

Finally, although Defendant originally requested monetary sanctions in the amount of \$1,140 (4 hours x \$285/hour) in its motion, at the hearing Defendant appeared to withdraw that request and only seek a ruling precluding Plaintiff from relying on any documents not yet produced in her response to Defendant's pending motion for summary judgment. That requested sanction is granted and Plaintiff is **PRECLUDED** from using or relying on any documents not yet produced in her response to Defendant's pending motion for summary judgment (DE 63). Any documents or things which are required to be produced pursuant to this Order and

which are not produced in accordance with the deadlines established herein shall not be used by Plaintiff for any purpose at trial.

IT IS SO ORDERED.

Dated: July 19, 2018

s/Anthony P. Patti

Anthony P. Patti

UNITED STATES MAGISTRATE JUDGE

Certificate of Service

I hereby certify that a copy of the foregoing document was sent to parties of record on July 19, 2018, electronically and/or by U.S. Mail.

s/Michael Williams

Case Manager for the

Honorable Anthony P. Patti